

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARVIN ERIC GALLOWAY,

Defendant.

CR 11-124-BLG-SPW-JTJ

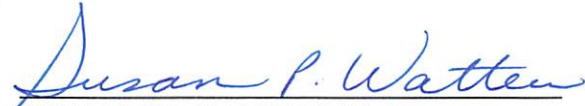
ORDER

On April 5, 2021, the United States Magistrate Judge entered Findings and Recommendations with respect to the March 12, 2021 petition for revocation of Defendant Galloway's supervised release. (Docs. 53 and 44). Although the parties were notified of their right to file objections to the Findings and Recommendations within 14 days, neither party filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Based on Galloway's admissions to the alleged violations, the Magistrate recommends his supervised release be revoked. The Magistrate further recommends that this Court sentence Galloway to the custody of the Bureau of Prisons for three (3) months, with thirty-two (32) months of supervised release to follow. The Magistrate's Findings and Recommendations are without clear error and hereby adopted in full.

IT IS ORDERED that Defendant Galloway's supervised release is revoked. Judgment will be entered by separate document.

DATED this 20th day of April, 2021.


SUSAN P. WATTERS
United States District Judge